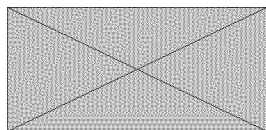


To: Smith, Paula[Smith.Paula@epa.gov]
From: Environmental Law360
Sent: Tue 5/3/2016 8:11:32 AM
Subject: EPA Aircraft Emissions Rules Far From Takeoff Despite Suit



ENVIRONMENTAL

Tuesday, May 3, 2016

TOP NEWS

LAW
FIRMS

EPA Aircraft Emissions Rules Far From Takeoff Despite Suit

Akin
Gump

Environmentalists fed up with the pace of the U.S. Environmental Protection Agency's efforts to regulate greenhouse gas emissions from airplanes recently sued to spur the agency along, but the EPA's involvement in an ongoing international standard-setting process makes it unlikely the lawsuit will bring about change more quickly, experts say.

Bailey
&
Glasser

Colo. Supreme Court Kills Cities' Fracking Restrictions

Baker
Botts

Two Colorado cities had their hydraulic fracturing restrictions overturned on Monday, when the state Supreme Court found that the local laws were preempted by state law because they conflict with the application of the state's Oil and Gas Conservation Act.

BakerHc

High Court Won't Hear BP Investors' Class Cert. Appeal

Beasley
Allen

The Supreme Court on Monday declined to consider whether a group of investors who bought BP stock before the Deepwater Horizon disaster were improperly denied class certification, leaving intact a Fifth Circuit decision finding the investors couldn't calculate damages across the class.

Beatty
&
Wozniak

9th Circ. Resists Further Review Of Coverage For EPA Reply

Beck
Redden

The Ninth Circuit on Monday appeared unlikely to seek the Oregon Supreme Court's help to decide whether an information request issued by the U.S. Environmental Protection Agency constitutes a "suit" triggering an insurer's duty to defend, noting that a previous decision by the federal appeals court already resolved the issue.

Brownst
Hyatt

EPA Urges Judge To Toss Murray Coal Jobs Suit Before Trial

Choate

The U.S. Environmental Protection Agency on Monday urged a West Virginia federal judge to toss Murray Energy's lawsuit accusing the agency of shirking its duty to study the effects of air pollution regulations on jobs, saying there's no need to proceed to a trial scheduled for July.

Cory
Watson

US, EU Officials Scramble To Defend TTIP Amid New Leaks

Cotchett
Pitre
DLA
Piper

Dinsmor
& Shohl

Government leaders in the U.S. and European Union mounted a forceful defense of the Transatlantic Trade and Investment Partnership on Monday after a series of purported leaked documents fueled new criticisms about the accord's impact on environmental policy and other sensitive areas.

LAW
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ANALYSIS

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Texas Justices Give Cities Back-Seat Role On Emissions

Baker
Botts

The Texas Supreme Court's Friday decision to invalidate part of Houston's air pollution control ordinance doesn't completely cut out cities from monitoring compliance with emissions standards, but it does leave state regulators firmly in the driver's seat when it comes to cracking down on alleged violators.

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POLICY & REGULATION

Beatty
&
Wozniak

Gov. Christie Vetoes Latest Offshore Wind Farm Bill

New Jersey Gov. Chris Christie on Monday vetoed another round of legislation that would have paved the way for the state's first offshore wind farm, saying the bill seeks to usurp the Board of Public Utilities' authority by forcing it to receive development applications under the Offshore Wind Economic Development Act.

Beck
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FERC OKs Pipeline To New Pa. Gas-Fired Power Plant

Choate

The Federal Energy Regulatory Commission on Friday gave UGI Energy Services LLC the authority to build a \$178.2 million pipeline that will deliver natural gas to a planned gas-fired power plant on the site of a shuttered coal plant in Pennsylvania.

Cory
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ENFORCEMENT

Cotchett
Pitre

Mexico Hits Ford With \$1M Fine For Selling Uncertified Cars

DLA
Piper

Mexico's automotive regulator on Monday said it has smacked Ford Motor Co. with a \$1 million fine for selling thousands of cars in the country that were not certified as environmentally compliant.

Dinsmor
& Shohl

LITIGATION

Douglas
&
London

Miss. Metal Co. Asks 5th Circ. To Toss Air Permit Suit

Earthjus

Mississippi Silicon LLC and the state of Mississippi urged the Fifth Circuit Monday to let stand a lower court's dismissal of a rival metal company's lawsuit challenging MS Silicon's state-issued air permit, saying federal courts have no jurisdiction to review such authorizations.

Gibson
Dunn

Goodwir
Procter

Oregon, Allies Ask 9th Circ. To OK Clean Fuel Regs

The California Air Resources Board, the state of Washington and several environmental groups stood alongside the state of Oregon on Friday, asking the Ninth Circuit to affirm the legality of Oregon's low-carbon fuel standards.

LAW
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Feds OK With Some Discovery In Arapaho-Shoshone Row

The federal government told a Montana district court Monday it wasn't entirely opposed to allowing the Northern Arapaho tribe to take some jurisdictional discovery in its suit alleging the Bureau of Indian Affairs wrongly gave the Eastern Shoshone tribe its blessing to take control of programs regulating joint tribal land.

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Quaker Oats Contains Possible Carcinogen, Suit Says

The maker of the iconic Quaker Oats was slammed on Friday with a proposed class action in California federal court claiming that it advertises its oatmeal as 100 percent natural and eco-friendly, when it instead includes a potentially cancer-causing weed killer.

Beasley
Allen

Beatty
&
Wozniak

RLI Needn't Defend Superfund Site Claims, 9th Circ. Hears

RLI Insurance Co. urged the Ninth Circuit on Monday to reverse a lower court's decision that it has to defend Northwest Pipe Co. in litigation over a Superfund site in Oregon, arguing that its umbrella insurance policy should never have kicked in because NPC hadn't exhausted all of its primary coverage.

Beck
Redden

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Hyatt

DuPont Faces Trial On Alleged Teflon Chemical-Cancer Link

Chemical giant DuPont couldn't convince a federal judge to head off a trial later this month on whether a case of testicular cancer was caused by the company's dumping a Teflon ingredient into waterways, one of many similar suits brought by Ohio and West Virginia residents.

Choate

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Ala. Residents Ask To Hit Brakes On Interstate Repairs

Birmingham residents suing state and federal officials over a \$450 million highway repair project they say will have significant effects on the city's human environment asked an Alabama federal judge Friday to halt work on the job and to order the officials to complete an environmental impact study.

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& Shohl

PEOPLE

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&
London

Rising Star: Beasley Allen's J. Parker Miller

Beasley Allen Crow Methvin Portis & Miles PC's J. Parker Miller helped Alabama score a \$2.3 billion settlement with BP PLC in the fallout from the Deepwater Horizon oil spill, capping years of litigation tied to the disaster and earning himself a spot among four environmental lawyers under 40 on Law360's list of Rising Stars.

Earthjus

Gibson
Dunn

Goodwir
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EXPERT ANALYSIS

LAW
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A Smarter Approach To Renewable Energy Reliance In Calif.

Akin
Gump

Pressure from nongovernmental organizations to close the storage facility at Porter Ranch in California is just one example of a concerted effort to damage the state's oil and gas businesses. Instead of badgering the industry, environmental groups should focus on lobbying for legislation to streamline the permitting process for renewable energy projects, say Jeffrey Dintzer and Dione Garlick at Gibson Dunn & Crutcher LLP.

Bailey
&
Glasser

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Botts

LEGAL INDUSTRY

5 Times When Arrogance Doesn't Pay

BakerHc

While clients may think they want the toughest-talking and most uncompromising attorneys for high-stakes cases, the arrogance that often comes with those qualities can end up doing more harm than good. Here are five areas where attorneys should keep their ego in check.

Beasley
Allen

Beatty
&

BigLaw Embraces Student Debt Refinancing As Retention Tool

Wozniak

Kirkland & Ellis LLP recently began offering a student loan refinancing program to its associates, joining a slew of other BigLaw firms that now work with lenders to help attorneys lower interest rates on often-massive student debts, a service firms say helps increase morale and promote retention.

Beck
Redden

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GCs Urged To Show Law Firms A Tough Hand On Diversity

Choate

Corporate legal departments that want to create a "best in class" diversity and inclusion program need to be willing to drop the law firms that refuse to aim for the goals clients lay out for them, law department insiders said Monday.

Cory
Watson

NY Judge Scheindlin Leaves Bench, But Not Public Interest

Cotchett
Pitre

Judge Shira Scheindlin gave up her gavel Friday after over 20 years on the New York federal bench. Law360 spoke to the jurist about what she'll miss, her new roles at Stroock & Stroock & Lavan and JAMS, and the importance of her daily walk across the Brooklyn Bridge.

DLA
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& Shohl

Ex-Justice Stevens Takes Shot At Monday's High Court Ruling

"Totally unintelligible" is how retired Justice John Paul Stevens described the latest U.S. Supreme Court decision, telling a Chicago audience Monday night that the eight judges would have been better off splitting the vote and washing their hands of a tricky case revolving around the anti-extortion Hobbs Act.

Douglas
&
London

Earthjus

Garland Row Likely Delaying 7th Circ. Noms, Chief Judge Says

Gibson
Dunn

Two Seventh Circuit judicial nominees, one of whom would fill a spot left vacant in 2010, have taken a backseat in the controversy over the nomination of Merrick Garland to the U.S. Supreme Court and things are likely to remain that way until Garland is given a confirmation

Goodwir
Procter

hearing, the circuit's Chief Judge Diane Wood said in Chicago Monday.

Poll: Ohioans Want Garland Hearing

A substantial majority of Ohio voters believe the Senate should hold hearings for U.S. Supreme Court nominee Merrick B. Garland, according to a new poll released Monday, possible signs of trouble for Sen. Rob Portman, an Ohio Republican up for reelection this fall who has supported his party's block of Garland.

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Motor
Compar

Globe
Specialt
Metals
Inc.

Halliburt
Compar

Liberty
Mutual

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Times

Murray
Energy
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Council

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Pipe
Compar

Quaker
Oats
Compar
Inc.

RLI
Corp

Sierra
Club

Transoc
Ltd.

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Corpora

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Mart
Stores
Inc.

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Kazmarek Mowrey

Kellogg Huber

Kirkland & Ellis

Latham & Watkins

McCurdy & Fuller

Mithoff Law Firm

O'Melveny & Myers

Orrick Herrington

Paul Weiss

Quarles & Brady

Schirrmeyer Diaz-Arrastia

Seyfarth Shaw

Sidley Austin

Soha & Lang

Stroock & Stroock

Sullivan & Cromwell

Watkins & Eager

COMPANIES

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BP p.l.c.

Accenture plc

American Trucking Associations Inc.

Center for Biological Diversity Inc.

Comcast Corporation

Dow Chemical Co.

E. I. du Pont de Nemours and Company (DuPont)

Environmental Defense Fund Inc.

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Ford Motor Company

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Los Angeles Times

Murray Energy Corp.

Natural Resources Defense Council

Northwest Pipe Company

Quaker Oats Company Inc.

RLI Corp

Transocean Ltd.

UGI Corporation

United Auto Workers

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GOVERNMENT AGENCIES

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